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FILING DATE FIRST NAMED INVENTOR

ATTORNEY DOCKET NO.

化自动流光管 化水平

The application of the approximation of the approxi

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED:

Please find below and/or attached an Office communication concerning this application of proceeding.

Commissioner of Patents and Trademarks

Docketed 5 30 01 Attorney DAM LAM MTL

Case 1142 · 122

Due Date 9 25 01 w/EX+

Action SEQUENCE LISTING DUE

By C2

ACCINI

AUG 5 U 2001

FINNEGAN, HENDERSON, FARABOW, CARRENT & CUNNER, LLLP.



UNITED STATES DEPARTMENT OF COMMERCE **Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

FILING DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO. SERIAL NUMBER



	EXAMINER
ART UNIT	PAPER NUMBER
DATE MAILED:	TOTAL OCT TO THE CELL
charge of this app	lication.
of Patents	O TOO
ve to the communication	on mailed 11 May

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

Serial No. 08/816,011

The reply filed 11 June 2001 (Paper No. 28) is not fully responsive to the communication mailed 11 May 2001 (Paper No. 27) for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report.

Since the above-mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME LIMIT MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pak, whose telephone number is (703) 305-7038. The examiner can normally be reached on Monday through Friday from 8:30 AM to 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yvonne Eyler, can be reached on (703) 308-6564.

Official papers filed by fax should be directed to (703) 308-4242. Faxed draft or informal communications with the examiner should be directed to (703) 308-0294.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Hicharl D. Por Michael Pak **Primary Patent Examiner** Art Unit 1646 16 August 2001

SUBSTITUTE PTOL-90

Application No.: 08/816,011

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

	1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
	2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
	3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
X	4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
	5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
	6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
	 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e). 7. Other: plicant Must Provide: An initial or substitute computer readable form (CRF) copy of the "Sequence Listing". An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry
Αp	plicant Must Provide:
X	An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
X	An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
X	A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).
Fo	questions regarding compliance to these requirements, please contact:
	Rules Interpretation, call (703) 308-4216
-0	

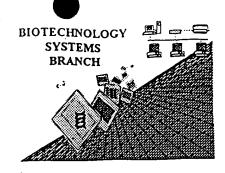
For CRF Submission Help, call (703) 308-4212

For Patentin software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

n. Pak

RAW SEQUENCE LISTING ERROR REPORT



The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 08/8/6,0/1/

Source: Olft ~

Date Processed by STIC: 6/25/2001

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.
PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,

2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216. PATENTIN 2.1 c-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax) PATENTIN 3.0 c-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE <u>CHECKER VERSION 3.0 PROGRAM</u>, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW:

Checker Version 3.0

The Checker Version 3.0 application is a state-of the-art Windows based software program employing a logical and intuitive user-interface to check whether a sequence listing is in compliance with format and content rules. Checker Version 3.0 works for sequence listings generated for the original version of 37 CFR §§1.821 – 1.825 effective October 1, 1990 (old rules) and the revised version (new rules) effective July 1, 1998 as well as World Intellectual Property Organization (WIPO) Standard ST.25.

Checker Version 3.0 replaces the previous DOS-based version of Checker, and is Y2K-compliant. Checker allows public users to check sequence listings in Computer Readable form (CRF) before submitting them to the United States Patent and Trademark Office (USPTO). Use of Checker prior to filing the sequence listing is expected to result in fewer errored sequence listings, thus saving time and money.

Checker Version 3.0 can be down loaded from the USPTO website at the following address: http://www.uspto.gov/web/offices/pac/checker

RECEIVED OCT 1 9 2001 TECH CENTER 1600/2900

Raw Sequence Listing Error Summary

ERRO	OR DETECTED	SUGGESTED CORRECTION	SERIAL NUMBER: 08/8/6,0110
.TTN:	NEW RULES CASES:	PLEASE DISREGARD ENGLISH "ALPHA	HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE
1	Wrapped Nucleics Wrapped Aminos	The number/text at the end of each line "w was retrieved in a word processor after cro prevent "wrapping."	apped" down to the next line. This may occur if your file ating it. Please adjust your right margin to .3; this will
2	_bvalid Line Length	The rules require that a line not exceed 72	characters in length. This includes white spaces.
3	_Misaligned Amino Numbering	The numbering under each 5th amino acid use space characters, instead.	s misaligned. Do not use tab codes between numbers;
4	_Non-ASCII	The submitted file was not saved in ASCII ensure your subsequent submission is sa	DOS) text, as required by the Sequence Rules. Please red in ASCII text.
5	_Variable Length	each nor Xaa can only represent a singl	senting more than one residue. Per Sequence Rules, residue. Please present the maximum number of each in the <220>-<223> section that some may be missing.
٥	_PatenUn 2.0 "bug"	sequences(s) Normally, Par	the <220>-<223> section to be missing from amino acidentln would automatically generate this section from the case manually copy the relevant <220>-<223> section to applies to the mandatory <220>-<223> sections for
7	_Skipped Sequences (OLD RULES)	(2) INFORMATION FOR SEQ ID NO:X: (i) SEQUENCE CHARACTERIST	please insert the following lines for each skipped sequence. (insert SEQ ID NO where "X" is shown) ICS: (Do not insert any subheadings under this heading) NO:X: (insert SEQ ID NO where "X" is shown)
		Please also adjust the "(ii) NUMBER OF S	EQUENCES:" response to include the skipped sequences.
8	_Skipped Sequences (NEW RULES)	Sequence(s) missing. If intention <210> sequence id number <400> sequence id number 000	I, please insert the following lines for each skipped sequence.
	_Use of n's or Xaa's (NEW RULES)	Use of n's and/or Xaa's have been detected Per 1.823 of Sequence Rules, use of <220> In <220> to <223> section, please explain	in the Sequence Listing<223> is MANDATORY if n's or Xaa's are present. ocation of n or Xaa, and which residue n or Xaa represents.
0	_Invalid <213> Response /	Per 1.823 of Sequence Rules, the only vali scientific name (Genus/species). <220>	1 <213> responses are: Unknown, Artificial Sequence, or (23> section is required when <213> response is Unknown or
1 <u>U</u>	_Usc of <220>	Use of <220> to <223> is MANDATORY "Halingum" Please explain source of gen	Feature" and associated numeric identifiers and responses. if <213> "Organism" response is "Artificial Sequence" or tic material in <220> to <223> section. S3, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
2	Patcutln 2.0 "bug"	resulting in missing mandatory numeric id	of Patentin version 2.0. This causes a corrupted file, entifiers and responses (as indicated on raw sequence or any other manual means to copy file to floppy disk.

AMC - Biotechnology Systems Branch - 06/04/2001

Re-run

RECEIVED

OCT 1 9 2001 OIPE

TECH CENTER 1600/2000

RAW SEQUENCE LISTING

PATENT APPLICATION: US/08/816,011D

DATE: 06/25/2001 TIME: 11:28:04

Input Set : A:\11420121.app

Output Set: N:\CRF3\06252001\H816011D.raw

Does Not Comply
Corrected Diskette Needed

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3 <110> APPLICANT: Pausch, Mark H
              Price, Laura A
      6 <120> TITLE OF INVENTION: POTASSIUM CHANNELS, NUCLEOTIDE SEQUENCES ENCODING THEM,
              AND METHODS OF USING SAME
      7
      9 <130> FILE REFERENCE: 01142.0122 SEQUENCE LISTING
     11 <140> CURRENT APPLICATION NUMBER: 08/816,011D
C--> 12 <141> CURRENT FILING DATE: 2001-06-11
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     15 <151> PRIOR FILING DATE: 1994-10-31
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RAW SEQUENCE LISTING

PATENT APPLICATION: US/08/816,011D TIME: 11:28:04

DATE: 06/25/2001

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83
85 Lys Ile Ser Arg Ala Gļu Gln Arg Lys Ala Gln Ile Ala Ile Asn Glu
86
88 Tyr Leu Leu Glu Glu Leu Gly Asp Lys Asn Thr Thr Gln Asp Glu
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                            55
91 Ile Leu Gln Arg Ile Ser Asp Tyr Cys Asp Lys Pro Val Thr Leu Pro
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                        70
94 Pro Thr Tyr Asp Asp Thr Pro Tyr Thr Trp Thr Phe Tyr His Ala Phe
                                         90
                    85
97 Phe Phe Ala Phe Thr Val Cys Ser Thr Val Gly Tyr Gly Asn Ile Ser
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               100
                                    105
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            115
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106 Gly Arg Thr Phe Glu Ala Ile Tyr Arg Arg Tyr Lys Lys Tyr Lys Met
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109 Ser Thr Asp Met His Tyr Val Pro Pro Gln Leu Gly Leu Ile Thr Thr
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                                         170
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                             215
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                                             235
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RAW SEQUENCE LISTING
PATENT APPLICATION: US/08/816,011D

DATE: 06/25/2001 TIME: 11:28:04

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	Gln	Asn 290		Ile	Trp	Ser	Gly 295		Thr	Lys	Asp	Val 300	Gly	Tyr	Leu	Arg
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142 143		Ser		340					345					220		
146		Phe	355					360					365			
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	Lys 385	Thr	Phe	Glu	Thr	Ala 390	Glu	Ala	Tyr	His	Gln 395	Thr	Thr	Asp	Leu	Leu` 400
155		Lys			405					410					415	
158		Glu		420		۸.			425					430		
160 161	Gln	Ile	Leu 435	Ala	Ser	Glu	Trp	Ser 440	Phe	Ser	Thr	Val	Asn 445	Glu	Phe	Thr
163 164	Ser	Pro 450	Arg	Arg	Pro	Arg	Ala 455	Arg	Ala	Cys	Ser	Asp 460	Phe	Asn	Leu	Glu
167	465	Pro	_			470		2.50			475	2				480
170		Thr			485					490	* :				495	1
173		Tyr		500					505					510		
176		His	515					520					525			
179	_	Val 530					535					540				
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193 194		Ala 610	Ala	Trp	Pro	Ala	Ala 615		Ala	Gly						
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PATENT APPLICATION: US/08/816,011D

DATE: 06/25/2001 TIME: 11:28:04

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RAW SEQUENCE LISTING
PATENT APPLICATION: US/08/816,011D

DATE: 06/25/2001 TIME: 11:28:04

Input Set : A:\11420121.app

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Please Note:

Use of n and/or Xaa have been detected in the Sequence Listing. Please review the Sequence Listing to ensure that a corresponding explanation is presented in the <220> to <223> fields of each sequence which presents at least one n or Xaa.

VERIFICATION SUMMARY

PATENT APPLICATION: US/08/816,011D

DATE: 06/25/2001 TIME: 11:28:05

Input Set : A:\11420121.app

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Attachment for PTO-948 (Rev. 03/01, or earlier)

The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.

INFORMATION ON HOW TO EFFECT DRAWING CHANGES

1. Correction of Informalities -- 37 CFR 1.85

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings MUST be filed within the THREE MONTH shortened statutory period set for reply in the Notice of Allowability. Extensions of time may NOT be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.

All changes to the drawings, other than informalities noted by the Draftsperson, MUST be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings MUST be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

Timing of Corrections

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.